

Record of Decision New Federal Courthouse Eugene/Springfield, Lane County, Oregon

The purpose and need for the project:

Through a study of the existing and long-term space needs of the U. S. Courts District of Oregon, the Administrative Office of the U.S. Courts identified a continuing need for increased space over a 30-year period. The study also indicated the number of judges is expected to increase from five (at present) to six in 2008 and 11 in 2028. The Courts currently occupy 108,085 square feet of space in the existing federal building/courthouse. The building is filled to capacity and structurally cannot accommodate any additional courtrooms. In addition, two bankruptcy judges and additional court services are located in three leased locations.

The U. S. Courts are continuing to expand in the Eugene area. Any further expansion of the Courts would require that another federal agency be moved from the existing federal building/courthouse into leased space. The projected growth of the Courts is based on a projected expansion in caseloads due to population growth in the region and a projected increase in the traffic of illegal drugs along the Interstate 5 corridor.

The 10-year growth plan for the U.S. Courts and court-related services will require 265,290 square feet of gross building area, including 80 secure parking spaces. Additional facilities are needed to provide six courtrooms for use by the federal district, magistrate, and bankruptcy judges, executive agencies, and court-related offices.

The existing federal building/courthouse in Eugene does not have a secure prisoner handling entry or vehicle sally port, secure prisoner circulation corridors, courtroom holding cells, secure parking, or ancillary facilities to support the mission of the U. S. Marshals. In general, security at the existing federal building/courthouse is inadequate in nearly all respects.

The purpose of the proposed project is to:

- Consolidate existing judicial functions
- Accommodate the immediate (10-year) and future (30-year) space needs of the federal courts and court-related agencies
- Improve security and safety of courthouse occupants and the U. S. Marshals Service
- Replace costly leased space.

Alternatives examined:

The final EIS considered two action alternatives and a no-action alternative. Each of the action alternatives addressed in the final EIS included two options. The no-action (no-build) alternative would continue the use of the existing federal courthouse in Eugene, supplemented by leased space throughout the downtown area.

The action alternatives are described in detail below:

Alternative 1 - Riverfront Site, Springfield, Options A and B

- Alternative 1, option A is bordered by West B Street, Mill Street, Main Street, and the boundary of Island Park. This site covers 196,000 square feet (4.5 acres). Alternative 1, option A, which is the same as Alternative 1 addressed in the draft EIS, includes properties currently used by the Island Park Partnership, Bright Oak Meats, At Home, Inc., Norm's Auto Repair, and Ruthie B's Antiques.

- Alternative 1, option B includes the northern half of the Alternative 1, option A site, but excludes the Island Park medical/dental building and the other four properties located south of West A Street. This reduced site covers 115,870 square feet (2.66 acres).

Alternative 2 - Chiquita (formerly Agripac) Site, Eugene, Option A (Preferred Alternative) and Option B

- Alternative 2, option A (the preferred alternative) is bordered by East 8th Avenue, Mill Street (Highway 99), the Southern Pacific Railroad tracks, and the centerline of the unimproved Ferry Street right-of-way. This site covers 225,206 square feet (5.17 acres). Alternative 2, option A includes the western portion of the Chiquita (formerly Agripac) property, as well as all the AutoCraft property on both sides of East 8th Avenue.
- Alternative 2, option B includes the southern half of the Chiquita (formerly Agripac) property identified in Alternative 2, option A, as well as all of the AutoCraft property on both sides of East 8th Avenue. This reduced site covers 108,900 square feet (2.5 acres).

Alternatives addressed in the draft EIS but not carried forward to the final EIS include development of the Gateway site (Alternative 3), the Eugene Water and Electric Board sites (Alternatives 4A and 4B), and the Broadway site (Alternative 5). These sites were deemed unfeasible and were eliminated from further consideration.. Seventeen other sites were eliminated during the screening process prior to preparation of the draft EIS because they did not meet the site requirements for the facility.

Environmental consequences of the project:

Geology, Soils, and Seismic Conditions

No unusual soils or foundation conditions are likely to occur on either of the alternative sites.

Water Resources - Construction Impacts

Construction impacts would be similar for both of the alternatives considered in the final EIS. During construction of the proposed facility, it may be necessary to dewater the foundation construction areas to prevent ground water or stormwater from ponding at the bottom of the excavation. Dewatering in excavation areas may increase the flow volumes discharged from the site during construction and may increase the transport of solids offsite, which may increase the turbidity of runoff into the Willamette River. Without proper controls, adverse impacts on water quality may result from dewatering activities.

Operation of heavy equipment requires fueling and engine maintenance activities that involve oil, grease, solvents, and other toxic engine fluids. These materials may be entrained in stormwater runoff from leaks, accidents, and improper handling or disposal. Soils that become contaminated can carry the absorbed contaminant offsite into receiving waters. Damage to aquatic life in the Willamette River may occur if an uncontrolled spill of fuel or other toxic material occurs on the construction site and stormwater runoff or dewatering carries the material offsite. Heavy equipment used for construction may increase the potential for spills of fuel or other related products. Spilled material may also contaminate ground water beneath the construction site. Lesser impacts may be caused by the cumulative effects of miscellaneous leaks and drips of fuel, antifreeze, solvents, concrete curing compounds, asphalt emulsifier, paints, and other materials used during construction.

Removal of any existing structures may result in short-term impacts from dust and debris associated with demolition activities. Water quality impacts typically associated with demolition activities include

increased debris loadings to stormwater conveyance systems and increased particulate loadings in runoff entering receiving waters.

Water Resources - Operational Impacts

Currently, both of the alternative sites are fully developed and covered almost entirely by impervious surfaces, including rooftops and parking lots. Based on preliminary designs, construction of the courthouse on either of the alternative sites is expected to maintain or slightly reduce the amount of onsite impervious surface area. Either of the alternatives could result in a slight reduction in runoff flow rates and volumes, resulting from the conversion of a greater proportion of impervious surfaces into pervious surfaces.

Biological Resources

Although no in-water construction activities are planned under either of the alternatives, there is the potential for impacts on fish resulting from sedimentation generated on construction sites and pollutants from spills entering the rivers and degrading water quality. Impacts on fisheries could be avoided by maintaining a spill control plan and implementing best management practices for stormwater runoff during construction.

Both of the alternative sites have been developed previously and are highly urbanized. Loss of landscaped areas on any of the alternative sites would have minimal impact upon wildlife present, which consists predominantly of small mammals and birds adapted to urban habitats. No significant adverse impact on threatened or endangered species would result from either of the action alternatives.

Construction of the courthouse facility would require land clearing and removal of some trees on either of the alternative sites.

Historic and Cultural Resources

The Riverfront site in Springfield (Alternative 1, option A) includes three buildings that appear eligible for listing on the National Register of Historic Places as part of a historic commercial district. These buildings include Ruthie B's Antiques (100 Main Street), Stephen's planing mill (124 Mill Street), and Bright Oak Meats (130 Mill Street). Construction on the larger Riverfront site would result in the removal of these three potentially historic properties. The survey of historic buildings conducted for the courthouse project identified a potential historic district that would include these buildings, extending from Main and Mill streets eastward along Main Street. Two additional residential buildings of potentially historic significance are located on the blocks surrounding this site.

The smaller of the two Riverfront site options (Alternative 1, option B) would avoid the three buildings potentially eligible for listing on the National Register of Historic Places.

The Chiquita (formerly Agripac) site in Eugene (Alternative 2) is adjacent to the Agripac office building, which is potentially eligible for National Register listing. Construction Alternative 2 would cause a direct adverse impact on the integrity of that potentially historic building by altering its setting. Five additional potentially historically significant buildings are located on the blocks surrounding this site. Impacts on historic resources under Alternative 2 would be similar for options A and B.

No other significant unavoidable adverse impacts on cultural or historic resources are expected to result from construction of the courthouse at either of the alternative sites.

Aesthetics

The scale of the new courthouse would be larger than any existing structure on or adjacent to any of the alternative sites. The new courthouse would be similar in scale to the largest existing buildings in downtown Eugene.

On site Alternative 1, both options A & B, light and glare impacts resulting from temporary construction activities and permanent operation of the new courthouse may be significant because of the proximity of the site to residential neighborhoods. In order to accommodate the proposed federal courthouse on the smaller Riverfront site (Alternative 1, option B), the GSA may reduce the footprint of the building and increase the height of the building. This modification is expected to have an effect on the aesthetics of the area.

Because the Alternative 2 site lies within the downtown area of Eugene with no residential housing nearby, light and glare resulting from temporary construction activities and permanent operation of the new courthouse would not be significant.

Air Quality

Air quality impacts may be the same for both action alternatives. All existing structures on the selected site would be demolished or moved before the new courthouse is constructed. Demolition activities may create fugitive dust emissions. Operation of heavy machinery may produce emissions of criteria pollutants, including carbon monoxide and nitrogen oxides. These impacts during demolition would be temporary and would not interfere with long-term attainment or maintenance of air quality standards.

Temporary increases in criteria pollutants and dust may result from courthouse construction activities. Air quality may be affected by emissions of carbon monoxide, nitrogen oxides, hydrocarbons and particulates from heavy equipment, and fugitive dust from construction and earth-moving activities. In addition to the mobile equipment, diesel-powered cranes, generators, and compressors would likely be used during construction.

Emissions of criteria pollutants from heavy machinery operation during construction may create short-term impacts that would not interfere with long-term attainment or maintenance of air quality standards. Construction activities at the project site could produce approximately 1.2 tons of airborne particulates per month (or approximately 8 to 10 pounds per hour). Activities required later in the construction process, such as framing and interior construction, would not produce significant amounts of airborne particulates. All particulate emissions from construction activities would be temporary and would not interfere with attainment or maintenance of air quality standards.

During operation of the new courthouse facility, minimal increases in airborne particulates from traffic in and around the site could be expected. Potential impacts from these sources would also be of short duration and would not interfere with attainment status or long-term maintenance of air quality standards. With on site parking capacity limited to 80 vehicles, sources of vehicle emissions would be minimal at any of the alternative sites. If additional surface parking is provided, vehicle emissions would increase, although not to a level of significance.

Noise

Demolition, excavation, and building construction activities at the selected site may temporarily increase noise levels in the vicinity of the project. While these construction impacts would be limited to the two-year period of construction, they may be significant for nearby residences and parks during the construction phase.

Noise impacts during construction are may be more serious for existing residences and park activities near the Alternative 1 site in Springfield than for the vicinity of the Alternative 2 site in Eugene. Construction equipment typically produces noise levels ranging from 60 to 90 decibels at a distance of 50 feet from the noise source. Construction equipment noise levels typically would range 20 to 30 decibels higher than ambient noise levels in the vicinity of the proposed courthouse.

During the construction phase, the GSA may implement its best practice construction procedures, which require that noise limits be placed on the operation of heavy equipment. The GSA general construction

procedures allow the noise from some equipment to exceed the 65-decibel limit established by both Eugene and Springfield. Noise at the construction site could occasionally exceed the 65-decibel limit during some phases of construction. In general, however, noise levels are not expected to exceed allowable levels for construction noise (with the exception of exempt equipment such as jackhammers).

Operation of the courthouse would contribute little to the area's ambient noise levels at either of the alternative sites. Traffic flow in and around the selected site during operation of the courthouse would create some noise but would not contribute significantly to ambient noise levels in the vicinity of the site.

Hazardous Materials

Potential impacts associated with existing contaminated sites would be limited to short-term construction impacts, for the most part. However, long-term impacts may occur where acquired properties have ongoing cleanup responsibility. Such impacts are typically associated with ground water contamination found on larger, more complex sites.

The Alternative 1, option A site in Springfield has had one documented release of hazardous materials on the site, but none on adjacent properties. Moderate soil and ground water contamination from former underground storage tanks located on the site at Norm's Auto Repair were detected during a Phase II environmental site investigation performed in 2000. Two hydraulic lift systems located at Norm's Auto Repair may potentially affect soil and ground water quality.

The Alternative 1, option B site in Springfield has had no documented release of hazardous materials onsite or on adjacent properties.

Site reconnaissance of the Alternative 1 site in Springfield revealed evidence of potential asbestos-containing materials, polychlorinated biphenyl (PCB)-containing fluorescent light ballasts and electrical transformer equipment, and lead-based paint in portions of the structures. Much of the asbestos-containing material has been abated in the buildings of the Island Park professional center; however, based on the age and lack of renovations to portions of the other buildings on the property, there is potential for these materials to be present in varying quantities.

Documented releases at or around the Alternative 2 site in Eugene include petroleum hydrocarbon soil contamination in the top few feet of soil. Potential release locations include the AutoCraft property. Evidence of potential asbestos-containing materials, PCB-containing fluorescent light ballasts and electrical transformer equipment, and lead-based paint has been identified in portions of structures on the site.

Mitigation measures that would be undertaken for any of the action alternatives likely would preclude all significant adverse impacts that could result from contaminated soil or ground water. Required mitigation would not be determined until the extent of contamination has been delineated at Norm's Auto Repair for Alternative 1, option A.

Socioeconomics

During construction, some increase in population and housing demand would be expected under either of the alternatives, although sufficient housing appears to be available in Eugene or Springfield to meet this temporary demand. Construction activity would temporarily increase economic activity in the Eugene/Springfield area.

No long-term effects on population, housing, demographics, employment, or income are anticipated under either of the alternatives. Selection of either of the action alternatives would not affect neighborhood quality or community cohesion. Environmental consequences affecting low-income or

minority people, as well as all others living in the area, are expected to be minor and could be mitigated through literature distributed to minority communities.

Selection of Alternative 1, option A would result in the acquisition of property currently used by the Island Park Partnership, Bright Oak Meats, At Home, Inc., Norm's Auto Repair, and Ruthie B's Antiques.

Selection of Alternative 1, option B would require acquisition of the portion of the Island Park Partnership property located north of West A Street.

Selection of Alternative 2, option A would require acquisition of the AutoCraft property and the western portion of the Chiquita (formerly Agripac) property.

Selection of Alternative 2, option B would require acquisition of the AutoCraft property and the southwestern portion of the Chiquita (formerly Agripac) property.

All properties shall be acquired in accordance with the Uniform Relocation Assistance and Real Property Acquisition Act of 1970, as amended, and GSA policy.

Land Use

Development of the courthouse under Alternative 1 would not conflict with zoning regulations, and the Springfield site could be developed without variances or conditional use permits. The current Springfield Renaissance Development Corporation conceptual plan recommends that the Alternative 1 site be rezoned to a mixed-use designation. The courthouse use complies with the standards for a mixed-use zone. Selection of Alternative 1, option B would result in a more intense site development, which would be offset by a reduction in the amount of property to be devoted to the federal courthouse. In sum, there would be no significant difference in land use impacts between options A and B under Alternative 1.

Development of the courthouse as a public facility or as an office use is permitted in all zones listed for the Alternative 2 site in Eugene. The current downtown planning process in Eugene is likely to recommend that the Alternative 2 site be rezoned to a mixed-use designation. A courthouse is an allowed use in a mixed-use zone. Alternative 2, option B would concentrate the federal courthouse activities onto a smaller site than Alternative 2, option A, allowing for redevelopment of the remainder of the site. There would be no significant difference in land use impacts between options A and B under Alternative 2.

Transportation - Traffic Flow

Development of either of the action alternatives would not significantly affect traffic flow during the horizon year 2003. Construction and operation of the proposed courthouse would not change the level of service from the no-action condition at any of the evaluated intersections and would not reduce the level of service below the standard (level of service D) set by both Eugene and Springfield.

Transportation - Public Parking

The proposed project may increase the demand for parking in the vicinity of the new courthouse. Under Alternative 1, parking in the area is sufficient to meet the minimum demand (including parking required by courthouse employees) but is not sufficient to meet the entire demand associated with the courthouse project (such as visitor parking). The demand for parking by courthouse employees and visitors may be satisfied by existing or planned future public parking facilities. Selecting this alternative may result in a temporary moderate shortage of parking.¹

The Alternative 2 site currently has minimal public parking available in the immediate vicinity. The demand for parking by courthouse employees and visitors may be satisfied by existing or planned future public parking facilities. Selecting this alternative may result in a temporary moderate shortage of parking.

Public transportation and pedestrian/bicycle amenities would not be significantly affected by selection of either of the alternatives.

Public Services and Utilities

Although relocation of utilities may be necessary under either of the action alternatives, impacts on utility services would not be significant. Both Eugene and Springfield have adequate police, fire, and emergency medical service coverage. No significant impacts on public services or utilities are anticipated to result from either of these alternatives.

Safety and Security

The proposed courthouse would incorporate current safety design standards. These measures would improve the safety and security of all users within the federal courthouse.

Persons being detained during their trial are temporarily housed in the Lane County jail. The Springfield alternative site is located farther from that facility than the Eugene alternative site. Detainees housed at that facility would be transported a greater distance if the Springfield alternative is selected. This additional distance would not result in a significant impact on public safety, however, the extended exposure and risk for the U.S. Marshals Service who transport the detainees is significantly increased.

Agency comment letters and responses:

The GSA published the final EIS on this project in December 2000. Comments about the final EIS, which were received by GSA and GSA's responses to those comments, are contained in Attachment C.

¹The Summary of Impacts sections of the draft and final EIS erroneously included a statement that the shortage of public parking at the Riverfront site would be significant. The text of the document and the transportation technical appendix correctly described the shortage of public parking as moderate. Both the draft and final EIS documents correctly concluded that the suggested transportation demand management program would mitigate the shortage of public parking.

